

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO

UNITED STATES OF AMERICA,

Plaintiff,

v.

KRISTOPHER L. COURTNEY,

Defendant.

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CASE NO. 1:16-cr-00309

OPINION & ORDER
[Resolving Doc. 80]

JAMES S. GWIN, UNITED STATES DISTRICT COURT JUDGE:

A jury convicted Defendant Kristopher Courtney on drug charges and related charges.¹ Defendant Courtney is currently serving his sentence at a Bureau of Prisons facility in Pennsylvania.²

Defendant Courtney says that the Bureau of Prisons has refused to give him earned time credits because the Bureau of Prisons determined that Courtney is ineligible for those credits.³ According to Courtney, the Bureau of Prisons refused to give earned time credits because Courtney received a role enhancement during his sentencing.⁴ Courtney asks the Court to amend his pre-sentence report to reflect that Courtney did not receive a role enhancement.⁵

Courtney's pre-sentence report shows that he did not receive a role enhancement.⁶ There is nothing for the Court to amend, so the Court **DENIES** Courtney's request.

¹ Doc. 40.

² Federal Bureau of Prisons, *Find an Inmate*, <https://www.bop.gov/inmateloc/> (search for BOP Register Number "64300-060") (last visited Apr. 4, 2024).

³ Doc. 80.

⁴ *Id.*

⁵ *Id.*

⁶ Doc. 50 at ¶ 26.

Case No. 1:16-cr-00309
GWIN, J.

In the alternative, the Court construes Courtney's request as a 28 U.S.C. § 2241 habeas petition challenging how the Bureau of Prisons is executing Courtney's sentence.⁷

Defendant Courtney may have a valid § 2241 argument if the Bureau of Prisons denied earned time credits based on a sentencing role enhancement that Courtney did not receive.

But "[§ 2241] jurisdiction lies in only one district: the district of confinement."⁸ Here the district of confinement is the Middle District of Pennsylvania.⁹ So, Courtney was required to file his § 2241 petition in the Middle District of Pennsylvania, and this Court lacks jurisdiction.

To the extent Courtney's request can be construed as a § 2241 petition, the Court **DISMISSES** the petition without prejudice.

IT IS SO ORDERED.

Dated: April 4, 2024

s/ James S. Gwin
JAMES S. GWIN
UNITED STATES DISTRICT JUDGE

⁷ *United States v. Singh*, 52 F. App'x 711, 712 (6th Cir. 2002).

⁸ *Rumsfeld v. Padilla*, 542 U.S. 426, 443 (2004).

⁹ See *supra* note 2; Federal Bureau of Prisons, *FCI Allenwood Medium*, <https://www.bop.gov/locations/institutions/alm/> (last visited Apr. 4, 2024).